

REMARKS

Claims 1-2, 8-17, and 20-22 have been amended. New claim 23 has been added. Support for the amended claims and new claim 23 can be located at pages 19-21 of the specification of the present invention and in figures 4a-4d and 7. Claims 1-17 and 20-23 are currently pending in the application.

On page 3 of the Office Action, claims 1-17 and 20-22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended the claims to more clearly recite the reservation rate determining process of the present invention, as suggested by the Examiner on page 36 of the Office Action. Therefore, withdrawal of the rejection is respectfully requested.

Claim 1 was objected to due to the phrase "reservations by a calculating result." Applicants have amended claim 1. Therefore, withdrawal of the objection is respectfully requested.

On page 3 of the Office Action, claims 1-17 and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,533 (Schiff) in view of U.S. Patent No. 5,948,040 (DeLorme) in view of U.S. Patent No. 6,266,648 (Baker) in view of U.S. Patent No. 6,622,125 (Cragun), or U.S. Patent Publication No. 2002/0133385 (Fox) in view of U.S. Patent Publication No. 2001/0044788 (Demir).

Schiff is directed to a system for tracking agent interaction with customers implemented in a web server environment. According to Schiff, a plurality of remote users utilizing web browser programs electronically communicate with the system via a data communications network. The system includes an electronic agent database configured to store information about a plurality of agents. The system also includes a cruise selling and booking system.

DeLorme is directed to a computerized travel reservation information and planning system that generates "map ticket" output in various media, for guidance and transactions en route. According to DeLorme, the Travel Reservation and Information System (TRIPS) permits a user to custom-define and examine a travel route and/or plans based upon answers to questions. The TRIPS is capable of determining, reserving, and/or ticketing locations along a travel route between a user-selected travel origin and travel destination, including user-selected waypoints of interest along a way, according to DeLorme.

Baker is directed to a computer system and method for permitting a consumer to more effectively make use of a variety of available benefits from a plurality of goods and service providers, wherein the benefits are offered specifically to those consumers having an association with one or more enabling organizations. The system includes a memory for storing information, enabling organization information and benefit correlation information.

Cragun is directed to an automated sales promotion selection system using neural networks to identify promising sales promotions based on recent customer purchases. The system includes a customer information device that receives customer data relating to customer purchases of items from an inventory of items, a central processing unit having a sales promotion neural network and a storage unit containing a plurality of items identifiers.

Demir is directed to a system and method for pricing air charter services. The system includes a programmed computer, a storage device, a demand forecasting module, a demand matching module, and an intelligent pricing module. According to Demir, the intelligent pricing engine prices air charter services based upon demand matching and forecasting.

Fox is directed to a system and method for forecasting future retail performance. The system includes a storage device that stores a sales history database, a weather history database, and a weather forecast database. An analyzer determines the extent to which past retail performance of a plurality of products at a plurality of locations was affected by weather using the sales history database and the weather history database.

Applicants respectfully submit that independent claims 1-2, 8-17, and 20-22 are patentable over the references, as none of the references, alone or in combination, disclose or suggest, "dividing a number of persons having reservations by a number representing a difference between a target number of persons and a number of persons without reservations, wherein said number of persons without reservations is calculated by a product of a prospective number of persons and coefficients defined for factors reducing a transaction including days of a week, and weather conditions," as recited in claim 1, for example.

Although Schiff discloses incentives related to reservations, Schiff does not disclose a specific rate of reservation as in the present invention. As DeLorme and all of the other cited references, alone or in any combination, fail to cure the deficiencies of Schiff, Applicants respectfully submit that claims 1, 2, 8-17, and 20-22 are patentable over the references. As dependent claims 3-7 depend from independent claim 2, the dependent claims are patentable over the references for at least the reasons presented for the independent claims.

As new claim 23 recites language similar to that of the other independent claims, new claim 23 is patentable over the references for at least the reasons presented for the other independent claims.

Moreover, as Applicants have amended the claims as suggested by the Examiner and in light of the Examiner's comments on page 36 regarding allowability of the claims, Applicants respectfully submit that the claims are in condition for allowance.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8-20-07

By: 

Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501